

REMARKS

Double Patenting Rejection

Claims 51-60 and 69-83 were rejected by the Examiner under the judicially created doctrine of obviousness-type double patenting over Claims 1-22 of US Patent 6,490,584.

The Examiner indicated that these claims would be allowed if a terminal disclaimer were filed. Accordingly, a terminal disclaimer is being submitted herewith.

Applicants note that the subject application is a divisional of, and is commonly owned with, US Patent 6,490,584. As stated in MPEP 201.12:

Assignment of an original application carries title to any divisional, continuation, or reissue application stemming from the original application and filed after the date of assignment. See MPEP §306.

Claim Amendments

Regarding the withdrawn claims, Applicant respectfully requests that the withdrawn claims be amended as specified herein and rejoined with the pending claims for the following reasons.

Independent Claim 61 is identical to Claim 79, which the Examiner has indicated will be allowed, except that Claim 61 contains the further limitation "the agents, the dynamic user model, and the client being implemented within a single platform". That is to say, independent Claim 61 could be rewritten as a claim dependent from Claim 79.

AM9-97-133-US2

-8-

09/864,537

Applicants submit that this is sufficient reason to rejoin and allow Claim 61 and Claims 62-63, which depend from Claim 61.

Independent Claim 64 includes limitations that are substantially similar to ones that the Examiner has considered with respect to the pending claims, and in particular, independent Claims 51, 69, and 79. Consider the following limitations appearing in the various steps of Claim 64:

“single platform” also appears in Claim 69 (see also Claim 51)

“dynamic user model” also appears in Claim 79

“receiving client” also appears in Claim 79

“fact nets defining evolving probable user interests” also appears in Claims 51 and 69; and

“pushing selected facts” also appears in Claims 51 and 69.

Applicants submit that given the similarity of the subject matter between Claim 64 (and its dependent Claims 65-68) and the pending claims, additional searching on the part of the Examiner does not appear to be necessary.

Summary

Applicants believe that all pending claims are in condition for allowance. Further, Applicants request that the Examiner rejoin amended Claims 61-68 (the non-elected claims) and allow them as well.

AM9-97-133-US2

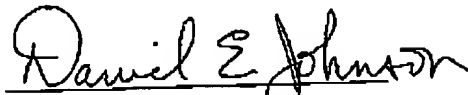
-9-

09/864,537

The Examiner is invited to call the undersigned if a telephone conference will expedite the prosecution of this application.

Respectfully submitted,

R.C. Barrett et al.

A handwritten signature in black ink, reading "Daniel E. Johnson". The signature is written in a cursive style with a large, looped "D" and a stylized "J".

Daniel E. Johnson (Reg. No. 37,033)
Agent for Applicants
Phone (408) 927-3367

AM997133US2.am6.doc

AM9-97-133-US2

-10-

09/864,537